

Name:	
1. Skills Element: INTERVIEWING, ADVISING AND COMMUNICATING	Learning Outcome: Obtaining instructions, advising client and communicating with client and parties.
2: Evidence provided	Page in Portfolio:
Attendance note of litigation through an advocates meeting, pre-hearing discussions and at court	Pages 17-20
3. How does this meet the outcome?	
<p>I attended court in person and spoke with the social worker to obtain her instructions firstly as to the direction of the case and evidence required, but also about timescales. I was able to obtain instructions to respond to questions raised by other parties for open communication.</p> <p>The note is detailed and accurately reflects the time spent in a remote advocates meeting where the social worker was not present, where I noted questions or issues to raise and obtain instructions on. These were then received from the social worker during my interview with her asking probing questions.</p> <p>The note gives a clear outline of the timescales involved and next steps for the upcoming hearing.</p> <p>The attendance note demonstrates obtaining instructions and advising accordingly, including managing expectations, relevant law and procedure.</p> <p>The social worker was particularly concerned about not prejudicing the police investigation and so I advised her on how the police disclosure order will be made and the police have an opportunity to seek PII.</p>	
4. Opportunities for further development (if any):	
I will look further into Public Interest Immunity applications so that if the Police do make such an application, I will know how to deal with this effectively to ensure disclosure is appropriate.	
Completion Date: ██████████	
Signed (applicant): ██████████	Date: ██████████



Name:	
1. Skills Element: COSTS & FUNDING	Learning Outcome: Costs and funding in proceedings
2: Evidence provided	
I have provided an email chain between myself and my client social worker and their manager. The case involved instruction of various experts, one of which was an independent social worker for a risk based assessment.	Page in Portfolio: Page 21 - 24
3. How does this meet the outcome?	
<p>The respondent mother had instructed an independent social worker with approval by the court, to carry out an initial risk assessment. The local authority my client, and also the children's guardian identified gaps and concerns about the instruction. Therefore with instructions, I outlined alternative experts and their costs and also the implications upon the local authority if the costs were not shared equally. The Family Procedure Rules 2010 Part 25 governs the cost of any expert evidence.</p> <p>As the other parties are legally aided parties, it is beneficial for the client department for public funding to have an equal share of the costs otherwise the client local authority often gets left with paying any excess fees due.</p> <p>I outlined the benefits and risks of continuing with the identified expert and their costs, vs an alternative instruction which would incur much greater costs to the local authority.</p>	
4. Opportunities for further development (if any):	
Continue with professional development on Legal Aid rates and funding options.	
Completion Date: ██████████	
Signed (applicant): ██████████	Date: ██████████



Name:	
1. Skills Element: PROFESSIONAL CONDUCT AND ETHICS	Learning Outcome: Professional conduct and ethics
2: Evidence provided	
I enclose a copy of an email sent to a Judge shortly after a hearing whereby I had identified an issue relating to professional conduct and ethics.	Page in Portfolio: Page 25
3. How does this meet the outcome?	
<p>The duties of a CILEX member when conducting litigation are set out in the Principles in the CILEX Code of Conduct. Principle 1 is to uphold the rule of law and the impartial administration of justice. Principle 2: maintain high standards of professional and personal conduct and justify public trust in you, your profession, and the provision of legal services.</p> <p>Outcome 1.1 outlines the need to understand and comply with my primary and overriding duty to the court, obey court orders and do nothing which would place me in contempt; and outcome 1.2 that I must not knowingly or recklessly allow the court to be misled.</p> <p>In this case I had informed the court by oral submissions to a question asked by the Judge about placements of the children. The Judge had directly asked me if the local authority intended to place all four children back together and I answered affirmatively as that was my understanding of the position at the time. I later was told by the client social worker that information had come to light which changed this position and thus, I felt I owed a duty to the court to correct the record and accurately reflect the client position.</p>	
4. Opportunities for further development (if any):	
N/A	
Completion Date: ██████████	
Signed (applicant): ██████████	Date: ██████████



Name:	
1. Skills Element: PROFESSIONAL CONDUCT AND ETHICS	Learning Outcome: An understanding of and the ability to apply the law and practice of confidentiality and privilege in a variety of practical contexts
2: Evidence provided	
I enclose a copy of an email sent to another local authority where I made a request for disclosure of confidential information.	Page in Portfolio: Page 26
3. How does this meet the outcome?	
<p>Part 12 Family Procedure Rules 2010 deals with proceedings relating to children and in particular, at rule 12.73, it details the following strict permission on disclosing confidential information related to proceedings. Failing to comply with this regulation could result in contempt of court.</p> <p><b>12.73</b>  (1) For the purposes of the law relating to contempt of court, information relating to proceedings held in private (whether or not contained in a document filed with the court) may be communicated –  (a) where the communication is to–  (i) a party;  (ii) the legal representative of a party;  (iii) a professional legal adviser;  (iv) an officer of the service or a Welsh family proceedings officer;  (v) the welfare officer;  (vi) the Director of Legal Aid Casework (within the meaning of section 4 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012);  (vii) an expert whose instruction by a party has been authorised by the court for the purposes of the proceedings;  (viii) a professional acting in furtherance of the protection of children;</p> <p>I made a request within the remits of the above legislation as a professional acting in the furtherance of protection of children. Therefore the information I received was lawfully obtained and I confirmed that it would remain confidential until formal consent for onward disclosure was obtained.</p>	
4. Opportunities for further development (if any):	
N/A	
Completion Date: ██████████	
Signed (applicant): ██████████	Date: ██████████

Name: [REDACTED]	
1. Skills Element: MANAGING LITIGATION	Learning Outcome: Case Analysis and Preparation Assembly Skills
2: Evidence provided	
I enclose a case summary which sets out the matter for the Judge to hear the next court hearing.	Page in Portfolio: Page 36 - 38
3. How does this meet the outcome?	
<p>R4.3 Practice Direction 27A Family Procedure Rules 2010 outlines that there should be a case summary provided with any court bundle, no more than 4 pages long.</p> <p>The case summary gives an overview of the court matter, including the timescale for dealing with the matter without delay. As the applicant who is responsible for providing a case summary to the court, it provides an opportunity to set out the facts from the local authority position which allowed me to set out my clients objectives. By setting out the case summary from my client's perspective, I am effectively inviting the court to see the case from my client's perspective.</p>	
4. Opportunities for further development (if any):	
N/A	
Completion Date: [REDACTED]	
Signed (applicant): [REDACTED]	Date: [REDACTED]

Name: [REDACTED]	
1. Skills Element: DEALING WITH OTHER PROFESSIONALS	Learning Outcome: Identify when a specialist legal opinion is required/when it is necessary to instruct an advocate
2: Evidence provided	
I enclose an internal document which is an advice note with request for authorisation to instruct counsel.	Page in Portfolio: Page 27 - 28
3. How does this meet the outcome?	
I advised the client to instruct counsel to represent the local authority at an appeal hearing. This was due to the complexity of the type of hearing and the need for expert counsel to advocate on behalf of the client local authority. This was a strategic decision to advance the local authority position. I obtained fees for each counsel chambers approached and highlighted particular counsel who I believed would be suitable for the work. I was then able to negotiate the fee slightly lower after securing approval from the client.	
4. Opportunities for further development (if any):	
N/A	
Completion Date: [REDACTED]	
Signed (applicant): [REDACTED]	Date: [REDACTED]



Name:	
1. Skills Element: MANAGING LITIGATION AND DEALING WITH OTHER PROFESSIONALS	Learning Outcome: Case Analysis and Preparation to instruct an expert.
2: Evidence provided	
I enclose a letter of instruction drafted to instruct a dual qualified psychologist/psychiatrist to undertake an assessment of a father in care proceedings.	Page in Portfolio: Page 29 - 32
3. How does this meet the outcome?	
<p>I learnt that the father in the case had sustained a brain injury following an accident at work. It was reported that this had profound effects on his functioning, physical and mental health. This in turn, also impacted his care and parenting capacity over his daughter who was the subject of proceedings.</p> <p>I identified that this would create a gap in the evidence so for the social worker to carry out a fair parenting assessment of him, it would be necessary for him to engage in a cognitive functioning assessment, psychological assessment and also a psychiatric assessment.</p> <p>I considered the type of assessment and determined that it was not clear whether the father's difficulty in parenting his daughter stemmed from a psychological issue or a psychiatric condition that had developed out of his accident. Therefore I felt it was appropriate to instruct both assessments to assist the local authority in identifying how best to support the father with his parenting.</p> <p>Psychiatrists often focus on medication management for mental health conditions, focussing on the diagnosis of mental, emotional and behavioural disorders and will include a physical examination including history of symptoms in their assessment. A Psychologist focusses on emotional and behavioural aspects of the mental health condition. A psychologist takes a history of an individual's life events and emotional difficulties to arrive at a formulation of what is causing someone's emotional distress or behaviour patterns. They then identify a treatment plan using an evidence based psychological approach.</p> <p>The expert that I identified is registered with HCCP (health and care professional council) so that the expert was regulated and appropriate.</p> <p>The letter of instruction outlines the case background in a fair and balanced way. It sets out the relevant law, statute and Family Procedure Rules which apply in instruction of experts. It also sets out the fees which are in accordance with Legal Aid rates and include sharing of costs.</p>	
4. Opportunities for further development (if any):	
N/A	
Completion Date:	
[REDACTED]	
Signed (applicant):	Date:
[REDACTED]	[REDACTED]



Name:	
1. Skills Element: MANAGING LITIGATION	Learning Outcome: File handling
2: Evidence provided	
I enclose a print out of my diary with entries for workload on a typical week.	Page in Portfolio: Page 33
3. How does this meet the outcome?	
<p>I use my Outlook diary to manage my time and prioritise my workload. I use a colour coded system to quickly identify my workload and urgency of work. All court hearings I enter in purple, meetings are green, and yellow are private appointments or entries.</p> <p>I enter dates in my diary for when to update and upload the court bundle to the court portal as well as preparation of the case/orders and case summaries.</p>	
4. Opportunities for further development (if any):	
N/A	
Completion Date: ██████████	
Signed (applicant): ██████████	Date: ██████████





Name:	
1. Skills Element: SETTLEMENT vs LITIGATION	Learning Outcome: Negotiation and settlement
2: Evidence provided	
I enclose a copy of a threshold document that I drafted, which that sets out the client case against the respondent parents.	Page in Portfolio: Page 34 - 35
3. How does this meet the outcome?	
I entered negotiation with counsel for the respondent mother to try and come to an agreement over the wording of the threshold document to avoid a contested hearing. If the threshold could be agreed, it would mean that the matter could conclude on an agreed basis for the making of a final care order. This would negate the need for evidence being heard so it would benefit my client.	
4. Opportunities for further development (if any):	
N/A	
Completion Date: ██████████	
Signed (applicant): ██████████	Date: ██████████



Name: [REDACTED]	
1. Skills Element: LEGAL WRITING AND DRAFTING	Learning Outcome: An ability to understand and apply the principles of good writing and drafting
2: Evidence provided	
I enclose a case summary which sets out the matter for the Judge to hear the next court hearing.	Page in Portfolio: Page 36 - 38
3. How does this meet the outcome?	
The document is clear, concise and logical which is in accordance with local practice guidance. It identifies my clients position against the position of parties and identifies the issues that the court will be invited to adjudicate on.	
4. Opportunities for further development (if any):	
N/A	
Completion Date: [REDACTED]	
Signed (applicant): [REDACTED]	Date: [REDACTED]

